

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Gene M. Gomes, Associate Justice; Honorable Stephen Kane, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Jill Rivera, Deputy Clerk.

F049110 Etienne, as Trustee, etc., et al. v. Miller et al.

Cause called and argued by Catherine E. Bennett, Esq., counsel for appellants; Robert Noriega, Esq., counsel for respondents Kenneth Young et al. ;Thomas S. Clark, Esq., and by Thomas S. McIntosh, Esq., counsel for trustee.

Cause ordered submitted.

Court recessed until Friday, October 6, 2006 at 10:00 A.M.

F050991 Finley v. Jones

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F050575 In re Donavin M. et al. Minors

No brief or request for extension of time having been filed within the time provided by appellant Cyndi M., IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F049584 People v. Shanes

The above-entitled case is submitted for decision.

F049584 People v. Shanes

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F050621 Evans v. Department of Fair Employment

Appellant's petition for rehearing filed herein is denied.

Appellant's request for publication of the order filed in this matter on September 14, 2006, is denied.

F050536 People v. Bullard

The above-entitled case is submitted for decision.

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F050536 People v. Bullard

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F049482 People v. Castro

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F049482 People v. Castro

The judgment is affirmed without prejudice to any relief to which Appellant might be entitled after the United States Supreme Court determines the effect of *Blakely v. Washington*, supra, 542 U.S. 296 on California law in *Cunningham v. California*, No. 05-6551.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047889 People v. Stone

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F050479 In re Adrian B., et al. Minors

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F048663 People v. Briones

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F050143 People v. Wyatt

The above-entitled case is submitted for decision.

IN THE
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F050143 **People v. Wyatt**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]